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 8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 Ragneel Reddy Bijjula, an individual

10 Plaintiff,

11 v.

12 United States Citizenship and Immigration
 Services,

13 Defendant.
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Case No. 3:24-cv-00441-MMD-CSD
ORDER GRANTING
United States' Motion to Extend the
Time to Respond to Plaintiff's Complaint
(First Request)

15 Defendant United States Citizenship and Immigration Services ("United States"),
 16 respectfully requests a 60-day extension to answer or otherwise respond to Plaintiff Ragneel
 17 Reddy Bijjula's Complaint (ECF No. 1). The current deadline to respond is December 2,
 18 2024. United States seeks an extension of 60 days, because USCIS needs the additional
 19 time to adjudicate Plaintiff's I-829 Petition by Investor to Remove Conditions on
 20 Permanent Resident Status. The purpose of the extension is for the agency to review the
 21 information submitted by Plaintiff and to determine if additional information is needed
 22 prior to adjudicating the petition. The undersigned communicated with Plaintiff's counsel
 23 regarding the request for a 60-day extension. *See* Correspondence, attached as **Exhibit A**.
 24 Plaintiff's counsel stated that he would ask Plaintiff. **Exhibit A**.

25 To date, Plaintiff has not responded to the request for extension. Considering the
 26 upcoming deadline to respond, the instant motion is necessary. This is the first request for
 27 an extension of time to respond to the Plaintiff's complaint.

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Memorandum of Points and Authorities

Plaintiff filed his I-829 petition less than 6 months ago on May 1, 2024. ECF No. 1, ¶ 57. The time to adjudicate such petition takes approximately 5 years. <https://eb5visainvestments.com/2020/11/17/i-829-processing-times-an-eb-5-investors-guide/> Thus, there is no undue delay in processing his petition. Plaintiff filed a complaint alleging an undue delay in the processing of his petition. ECF No. 1. The agency has requested a 60-day extension to respond to the plaintiff's complaint. This additional time is necessary to review the petition and to determine if additional information is needed prior to its adjudication.

Under Federal Rule of Civil Procedure 6(b), a court may, "for good cause," extend a deadline if a request is made "before the original time or its extension requires." Fed. R. Civ. P. 6(b)(1)(A); *see also* Local Rule IA 6-1(a). The Ninth Circuit has equated good cause with the exercise of due diligence. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

Good cause exists here because the United States has been diligent in trying to evaluate Plaintiff's I-829 petition prior to the 5 years it generally takes for such petition. If this motion is granted, the new deadline to answer or otherwise respond to Plaintiff's compliant will be February 3, 2025. Given the United States' diligence, good cause exists for the extension. The United States therefore requests that the Court grant the motion.

Respectfully submitted this 20th day of November 2024.

JASON M. FRIERSON
United States Attorney

/s/ Virginia T. Tomova
VIRGINIA T. TOMOVA
Assistant United States Attorney

IT IS SO ORDERED.

DATED: November 21, 2024.



Craig S. Denney
United States Magistrate Judge